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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/531,044	10/19/2005	Joseph P Kennedy JR.	GRA26 006	4672
7590 Mark C Comtois Duane Morris Suite 700 1667 K Street NW Washington, DC 20006			EXAMINER PHAN, DAO LINDA	
			ART UNIT 3662	PAPER NUMBER
			MAIL DATE 02/12/2008	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/531,044	KENNEDY ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Dao L. Phan	3662	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 13 November 2007.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-57 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 6-54, 56 and 57 is/are allowed.
- 6) ☒ Claim(s) 1-5 and 55 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-5, 55 are rejected under 35 U.S.C. 102(b) as being anticipated by Webber (Pat. No. 4,144, 571) or Latham et al (Pat. No. 3,975,731).

Webber teaches a method for refining a gee-location estimate of a wireless transmitter emitting a signal that is received by a predetermined number of sensors that is greater than the minimum number of sensors required to obtain the geo-location estimate, wherein signals from the sensors used to estimate the location contain a bias error, the improvement comprising updating the gee-location estimate by recursive analysis of the bias error to thereby refine the gee-location estimate (Fig. 3-5; col 3, lines 4-22; col 7, lines 3-14; col 8, lines 4-col 9, line 49).

With regard to claim 55, Webber teaches a method for identifying bias measurements in a geo-location estimate of a wireless transmitter emitting a signal that is received by a predetermined number of sensors that is greater than the minimum number of sensors required to obtain the geo-location estimate, wherein measurements from the sensors used to estimate the location contain a bias error, the improvement comprising updating the geo-location estimate by recursive analysis of the bias error to thereby identify bias measurements (Fig. 3-5; col 3, lines 4-22; col 7, lines 3-14; col 8, lines 4-col 9, line 49).

Latham et al teach a method for refining a geo-location estimate of a wireless transmitter emitting a signal that is received by a predetermined number of sensors that is greater than the minimum number of sensors required to obtain the geo-location estimate, wherein signals from the sensors used to estimate the location contain a bias error, the improvement comprising updating the geo-location estimate by recursive analysis of the bias error to thereby refine the geo-location estimate (fig. 4; col 4, line 53-col 8, line 25).

With regard to claim 55, Latham et al teach a method for identifying bias measurements in a geo-location estimate of a wireless transmitter emitting a signal that is received by a predetermined number of sensors that is greater than the minimum number of sensors required to obtain the geo-location estimate, wherein measurements from the sensors used to estimate the location contain a bias error, the improvement comprising updating the geo-location estimate by recursive analysis of the bias error to thereby identify bias measurements (fig. 4; col 4, line 53-col 8, line 25).

3. Claims 6-54, 56-57 are allowed.
4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dao L. Phan whose telephone number is (571)272-6976. The examiner can normally be reached on M-F 9:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Tarcza can be reached on (571)272-6979. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

6. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Dao L. Phan/  
Primary Examiner, Art Unit 3662